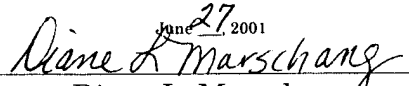
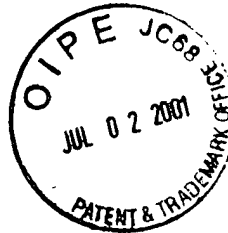


IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re Application of  Ashkenazi  Serial No.: 09/459,808  Filed: December 13, 1999  For: Apo-2 Ligand	Group Art Unit: 1647  Examiner: D. Romeo
	<p align="center"><b>CERTIFICATE OF MAILING</b></p> <p>I hereby certify that this correspondence is being deposited with the United States Postal Service with sufficient postage as first class mail in an envelope addressed to: Assistant Commissioner of Patents, Washington, D.C. 20231 on</p> <p align="center">June 27, 2001                    Diane L. Marschang</p>



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TRANSMITTAL

Assistant Commissioner of Patents  
Washington, D.C. 20231

Sir:

Transmitted herewith is a Response to Restriction Requirement and Preliminary Amendment in the above-identified application.

The fee has been calculated as shown below.

	Claims Remaining After Amendment		Highest No. Previously Paid For	Present Extra	Rate	Additional Fees
Total	32	-	31	1	x 18 =	\$18.00
Independent	4	-	5	0	x 78 =	\$0.00
Multiple dependent claim(s), if any					+ 260 =	\$0.00
<b>Total Fee Calculation</b>						<b>\$18.00</b>

          X          

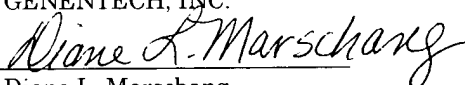
No additional fee is required.

The Commissioner is hereby authorized to charge Deposit Account No. 07-0630 in the amount of \$18.00. **A duplicate copy of this transmittal is enclosed.**  
Petition for Extension of Time is enclosed.

  X   The Commissioner is hereby authorized to charge any additional fees required under 37 CFR 1.16 and 1.17, or credit overpayment to Deposit Account No. 07-0630. **A duplicate copy of this sheet is enclosed.**

Respectfully submitted,  
GENENTECH, INC.

Date: June 27, 2001

By:   
 Diane L. Marschang  
 Reg. No. 35,600  
 Telephone No. (650) 225-5416



09157

PATENT TRADEMARK OFFICE

#913  
07/12/01

Patent Docket P0978-1C1

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re Application of Avi J. Ashkenazi Serial No.: 09/459,808 Filed: December 13, 1999 For: Apo-2 Ligand	<p>Group Art Unit: 1647 Examiner: D. Romeo</p> <p><b>CERTIFICATE OF MAILING</b> I hereby certify that this correspondence is being deposited with the United States Postal Service with sufficient postage as first class mail in an envelope addressed to: Assistant Commissioner of Patents, Washington, D.C. 20231 on <i>Diane L. Marschang</i> Diane L. Marschang</p>
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**Response to Restriction Requirement and Preliminary Amendment**

Assistant Commissioner of Patents  
Washington, D.C. 20231

SIR:

This paper is being filed in response to the Office Action mailed May 30, 2001, setting forth a restriction requirement. Entry of the following amendment is respectfully requested prior to examination on the merits.

**In the claims:**

Please cancel claims 24, 25, 30-40 and 53-58 without prejudice.

Claim 41 has been amended to read:

41. (Amended) A method of treating a mammal having neuroblastoma cancer, comprising administering to the mammal Apo-2 ligand polypeptide in an amount effective to induce cell death in the mammal's neuroblastoma cancer cells.

42. (As filed) The method of claim 41 wherein radiation therapy or chemotherapy is further administered to the mammal.

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